

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

STEVEN LUDWIG FEELEY,)	
)	
Plaintiff,)	
)	
v.)	Docket No. 2:24-cv-00336-NT
)	
)	
HEALTH CARE RESOURCE)	
CENTER,)	
)	
Defendant.)	

**ORDER AFFIRMING THE RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

On October 16, 2024, the United States Magistrate Judge filed with the Court, with copy to the Plaintiff, his Recommended Decision after a preliminary review of the Plaintiff's Complaint (ECF No. 1) under 28 U.S.C. § 1915. Recommended Decision (ECF No. 6). The Plaintiff filed an objection to the Recommended Decision on October 28, 2024 (ECF No. 7). I have reviewed and considered the Recommended Decision, together with the entire record. I have made a *de novo* determination of all matters adjudicated by the Recommended Decision, and I concur with the recommendations of the United States Magistrate Judge.

Federal courts are courts of limited jurisdiction, which means that they have limited power and they generally can hear only two types of cases. The first type of case is a case involving a federal question. A federal question case arises under the United States Constitution or federal laws or treaties. 28 U.S.C. § 1331. The second type of case involves diversity of citizenship of the parties. In a diversity case, a citizen

of one state sues a citizen of another state or nation—meaning no defendant may be a citizen of the same state as any plaintiff—and the amount at stake is more than \$75,000. 28 U.S.C. § 1332. Here, the Plaintiff alleges that his wife died under the Defendant’s care and prescribed drugs. Compl. at 3 (ECF No. 1); *see also* Obj. at 1 (“The doctors that prescribed medication to my wife . . . caused her death.”). These allegations suggest that the Plaintiff is trying to bring a medical malpractice claim, and there are specific procedures for filing medical malpractice claims in Maine’s state court system. *See* 24 M.R.S. § 2853. Accordingly, the Plaintiff’s Complaint does not support a finding of jurisdiction based on a federal question or diversity.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. It is further **ORDERED** that, in accordance with 28 U.S.C. § 1915, the Plaintiff’s complaint is **DISMISSED**.

SO ORDERED.

/s/ Nancy Torresen
United States District Judge

Dated this 7th day of November, 2024.